

**REMARKS****Summary of the Office Action**

Claims 1-5 are allowed.

Claims 6-7 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

**Summary of the Response to the Office Action**

Applicants have amended independent claim 6 to improve the form of the claim, and canceled dependent claim 7 without prejudice or disclaimer. Accordingly, claims 1-6 remain currently pending for consideration.

**Rejections under 35 U.S.C. 101**

Claims 6-7 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants have amended independent claim 6 to improve the form of the claim and in response to the Examiner's helpful suggestions provided at page 2, section 3 of the Office Action. Dependent claim 7 has been canceled without prejudice or disclaimer. As a result, Applicants respectfully submit that claim 6 fully complies with the requirements under 35 U.S.C. § 101. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 101 be withdrawn. In the event that Examiner might believe that some issue still exists with regard to the form of independent claim 6 in this regard, the Examiner is respectfully requested to call Applicants' undersigned representative to suggest possible revisions to place this application in condition for allowance.

**CONCLUSION**

The Examiner is thanked for the indication that claims 1-5 are allowed. It is understood that the Office Action's remarks regarding a "new ground(s) of rejection" as to claims 1-5 at page 3, lines 1-3 of the Office Action is a typographical error in that claims 1-5 have been allowed. However, to the extent that Applicants' understanding is incorrect, clarification is respectfully requested to be provided in the next Office Communication.

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response; the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: June 11, 2009

By:



Paul A. Fournier

Reg. No. 41,023

**Customer No. 055694**

**DRINKER BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, DC 20005-1209

Tel.: (202) 842-8800

Fax: (202) 842-8465